

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United Steelworkers of America, AFL-CIO,)
CLC, et al.,) CASE NO. 3:04 CV 7411
)
 Plaintiff(s),)
) JUDGMENT ENTRY
 v.)
)
 Cooper Tire & Rubber Company, et al.,)
)
 Defendant(s).)

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment Entry, IT IS HEREBY ORDERED, ADJUDGED and DECREED that plaintiffs' motion for summary judgment on the issue of arbitrability is GRANTED. Pursuant to the terms of the 2000 Basic Labor Agreement and the 2000 Benefits Agreement, defendants are ordered to arbitrate the dispute arising from the language of the 2000 FASB Letter relating to application of caps on company costs for retiree health benefits. Case closed, with each party to bear its own costs.

October 17, 2005
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge